REMARKS

Claims 1-65 are presented for examination. Claims 1, 32-34, 45, 56, 57, 61 and 62 are independent and hereby amended. Reconsideration and further examination are respectfully requested.

Claims 1-18 and 20-65 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2002/0186257 (Cadiz) in view of U.S. Patent No. 7,246,329 (Miura); Claim 19 rejected under 35 U.S.C. § 103(a) as being unpatentable over Cadiz. Reconsideration and withdrawal of the rejections are respectfully requested for at least the following reasons.

Claim 1 recites a method comprising modifying an existing context menu in existing software via a client-side software module, comprising additional menu information; detecting an event that calls for display of the existing context menu by the existing software; modifying the existing context menu based on the additional menu information; and subsequently displaying the modified context menu, such that the existing context menu is not displayed in response to said event, and the modified context menu is different from the existing context menu, the modified context menu comprising an additional menu item as part of the context menu, the additional menu item being positioned within the modified context menu in accordance with the additional menu information and not in accordance with the existing software.

On page 3 of the Office Action, the Examiner concedes that Cadiz does not expressly teach the claimed subject matter of claim 1, which recites, modifying an existing context menu based on additional menu information; and subsequently displaying a modified context menu; wherein the existing context menu is not displayed in response to an event, and the modified context menu is different from the existing context menu, the modified context menu comprising an additional menu item as part of the context menu, the additional menu item being positioned within the modified context menu in accordance with the additional menu information and not in accordance with the existing software. Applicants respectfully traverse the contention that Miura cures the deficiencies of Cadiz.

Miura's approach of using multiple menus with a graphical user interface does not teach, suggest nor disclose the claimed subject matter of claim 1, which recites, *inter alia,*

modifying an existing context menu based on additional menu information; and subsequently displaying a modified context menu; wherein the existing context menu is not displayed in response to an event, and the modified context menu is different from the existing context menu, the modified context menu comprising an additional menu item as part of the context menu, the additional menu item being positioned within the modified context menu in accordance with the additional menu information and not in accordance with the existing software. Miura teaches a base menu, which is an existing menu in existing software, that is context sensitive. Contents of a generated menu may depend on an event entailing a detection of a feature or function of an application currently being selected for display. The generated menu's content may also depend on the content of an object that is closest in proximity to a cursor when displaying a menu, whereby the proximity detection is an event in itself. Upon detection of an event, the base menu's contents are parsed via a display filter which filters out unnecessary or unwanted content that was present in the existing base menu; thereby, displaying the filtered content of the existing base menu as a modified menu. The modified menu is generated from the content present in the existing base menu that passed through the display filter of the existing software. Base menu content that did not pass through the display filter is not included in the modified menu. Alternatively, Miura teaches multiple existing base menus referred to as quad menus. Quad menu selection is used to specify which quad menu or menus from the multiple existing menus are to be displayed. Miura teaches a method of displaying a menu by filtering out, in the existing software that controls the base menu, content present in an existing base menu for the display of only a portion of content that was present in the existing base menu. Applicants submit that there is no disclosure of a client-side software module for controlling existing software to effect a modified context menu comprising an additional menu item as part of the context menu, and that there is no disclosure of an additional menu item being positioned within the modified context menu in accordance with the additional menu information of the client-side software module and not in accordance with the existing software, as part of Miura's menu, much less the recited modified context menu in claim 1. Miura is silent as to displaying a modified context menu; wherein the existing context menu is not displayed in response to an event, as well as silent as to the modified context menu being different

from the existing context menu, the modified context menu comprising an additional menu item as part of the context menu, the additional menu item being positioned within the modified context menu in accordance with the additional menu information from a client-side software module and not in accordance with the existing software, as recited in claim 1.

Therefore, Applicants submit that Cadiz and Miura, taken alone or in combination, do not teach, disclose nor suggest the claimed subject matter of claim 1. Thus, because Cadiz and Miura do not teach or suggest the above claim elements, it is respectfully submitted that claim 1 is patentable over Cadiz and Miura, and Applicants respectfully request that the Examiner withdraw the rejection. Moreover, it is respectfully submitted that even if the combination of references yielded all of the claim elements, which it does not, the alleged reasoning for the combination of Cadiz and Miura is insufficiently presented. Nor could Cadiz and Miura, alone or in combination with any reference of record render Claim 1 obvious, as no such combination would yield all of the elements in the presently recited claims.

For at least the foregoing reasons, Claim 1 and the claims that depend from claim 1 are believed to be in condition for allowance. In addition, for at least the same reasons stated above with respect to claim 1, independent Claims 32-34, 45, 56, 57, 61 and 62 are believed to be in condition for allowance, and accordingly, the claims that depend from Claims 32-34, 45, 56, 57, 61 and 62 are also believed to be in condition for allowance.

Claim 19 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Cadiz. It is respectfully submitted that the features described above with respect to Claim 1 and 18, from which Claim 19 depends, are applicable to this claim as well. Therefore, Applicants submit that Cadiz does not yield all of the elements in the presently cited claims, and therefore, Cadiz cannot form the basis of a proper § 103 rejection and a combination with any other references would also not form the basis of a proper § 103 rejection. Therefore, Applicant respectfully requests withdrawal of this rejection.

Having responded to all objections and rejections set forth in the outstanding Office Action, it is submitted that the currently pending claims are in condition for allowance and Notice to that effect is respectfully solicited. Additional characteristics or arguments may exist that distinguish the claims over the prior art cited by the Examiner,

and Applicants respectfully preserve their right to present these in the future, should they be necessary. In the event that the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, he is respectfully requested to contact Applicants' undersigned representative.

The Applicants' attorney may be reached by telephone at 212-801-6729. All correspondence should continue to be directed to the address given below, which is the address associated with Customer Number 76058.

The Commissioner is hereby authorized to charge any required fee in connection with the submission of this paper, any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 50-1561. Please ensure that the Attorney Docket Number is referenced when charging any payments or credits for this case.

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Respectfully submitted,

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